

Mark-up Version of the Specification

Please replace the paragraph at page 1, lines 1-3, as follows:

This application is a continuation-in-part of US serial number 09/147,373, filed June 12, [1997] 1998, which claims priority from PCT/CA97/00418 (designating the U.S.), filed June 12, 1997, which claims priority from GB serial number 9612264.3, filed June 12, 1996.

Please replace the paragraph at page 28, lines 13-18,
as follow:

The differences in absorbances between spectrophotometers, differences in sample containers, and differences in sample composition, all contribute to the identification of different principal calibration wavelengths, and the derivation of different primary calibration algorithms. An example of various different primary calibration algorithms for the same analyte, for example Hb, can be found in equations 1-6 of [Examples 1-5] Example 1 below.

213202-00354

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
JAMES SAMSOONDAR) Examiner: NYA
Application No.: 10/023,869) Group Art Unit: 1743
Filed: December 21, 2001)
For: QUALITY CONTROL MATERIAL) April 8, 2002 (Monday)
FOR REAGENTLESS)
MEASUREMENT OF ANALYTES)
Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Initially, please change the attorney docket number from "13202.00354" to --213202.00354--.

Prior to examination on the merits, please amend the above-identified application as follows:

IN THE ABSTRACT:

Please insert the following Abstract as a separate page after page 78 of the specification:

ABSTRACT

The present invention provides a method of monitoring calibration of a spectrophotometric apparatus that

comprises one or more calibration algorithms for one or more analytes. This method comprises measuring absorbance of a quality control material with the apparatus to obtain a measurement, where the quality control material exhibits an absorbance spectra characterized as having a negative slope for a continuous spectral segment from about 5 nm to about 200 nm in length, and where the spectral segment includes a principal calibration wavelength for the one or more analytes. The method then involves calculating one or more concentration values from the measurement using the one or more calibration algorithms, followed by comparing the one or more concentration values with an assigned value given to the quality control material for each of the one or more analytes, and determining if there is a violation of a pre-established quality control rule. In this way one or more calibration algorithms of the apparatus may be monitored. A reagentless method for determining the concentration of one or more analytes in a sample in a spectrophotometric apparatus comprising at least one primary calibration algorithm is also disclosed. The present invention also provides to a method for selecting one or more substances as a quality control material for monitoring at least one primary calibration algorithm on a spectrophotometric apparatus. The present invention includes a quality control material for mimicking two or more analytes comprising, one

or more substances having a combined absorption spectrum exhibiting a negative slope for a continuous spectral segment from about 5 nm to 200 nm in length, in a portion of an absorption spectrum, including one or more principal calibration wavelengths, for the two or more analytes."

IN THE SPECIFICATION:

Please amend the specification to read as shown below. A mark-up version of the specification, showing the changes made thereto, is attached for the Examiner's convenience.

Please replace the paragraph at page 1, lines 1-3, as follows:

This application is a continuation-in-part of US serial number 09/147,373, filed June 12, 1998 which claims priority from PCT/CA97/00418 (designating the U.S.), filed June 12, 1997 which claims priority from GB serial number 9612264.3, filed June 12, 1996.

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calibration algorithms. An example of various different primary calibration algorithms for the same analyte, for example Hb, can be found in equations 1-6 of Example 1 below.

REMARKS

This application is a continuation-in-part application of U.S. Patent Application No. 09/147,373, filed June 12, 1998.

The specification has been amended to set forth the correct priority information for this continuation-in-part application, and to correct a minor informality. In addition, an Abstract has been added in order to comply with the Notice to File Missing Parts mailed February 6, 2002.

